

In re Application of: Amnon PELED et al
Serial No.: 10/649,873
Filed: August 28, 2003
Office Action Mailing Date: April 30, 2008

Examiner: Bruce D. Hissong
Group Art Unit: 1646
Attorney Docket: 26732

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-54, 56-76, 83 and 84 are in this Application. Claims 1-52 and 56-76 have been withdrawn from consideration as being drawn to a non-elected invention. Claims 55 and 77-82 have been canceled in a previous response. Claims 53, 54, 83 and 84 have been amended herewith.

Amendments To The Claims

Claim objections

In one particular, the Examiner has suggested amending claims 53 and 83 so as to recite “consisting” or “comprising” instead of “having”.

Claims 53 and 83 have been amended so as to recite “comprising” instead of “having”, as per the Examiner’s suggestion.

In another particular, the Examiner has suggested replacing the phrase “subjecting the chemokine to” with “contacting the chemokine with”.

Claims 53 has been amended so as to recite “contacting the chemokine with” instead of “subjecting the chemokine to”, and claim 83 has been amended so as to recite “contacting the chemokine with” instead of “administering subjecting the chemokine to”, as per the Examiner’s suggestion.

35 U.S.C. § 112, 1st paragraph rejection - enablement

The Examiner has rejected claims 53, 54, 83 and 84 under 35 U.S.C. 112, first paragraph, regarding lack of enablement. The Examiner’s rejection is respectfully traversed. Claims 53, 54, 83 and 84 have been amended.

Specifically, the Examiner has stated that the specification, while being enabling for a method of inhibiting the binding of a chemokine to a chemokine

In re Application of: Amnon PELED et al
Serial No.: 10/649,873
Filed: August 28, 2003
Office Action Mailing Date: April 30, 2008

Examiner: Bruce D. Hissong
Group Art Unit: 1646
Attorney Docket: 26732

receptor, wherein the biological activity of said chemokine is inhibited, does not reasonably provide enablement for a method resulting in all other types of modulation of chemokine binding, resulting in inhibition of all possible activities of said chemokine. The Examiner has further stated that the term “modulating” can encompass inhibition of binding, increasing binding, or changes of the length of time or strength of chemokine-chemokine receptor interaction, and that chemokine “activity” can encompass biological activities/effects or other activities such as the ability to function as an antigen or to be bound by a specific antibody.

Claims 53 and 83 has been amended so as to recite “inhibiting” instead of “modulating”.

Hence, claims 53 and 83 pertain to a method of inhibiting a binding of a chemokine to a chemokine receptor, which the Examiner has stated to be enabled by the specification.

In addition, claims 54 and 84 have been amended so as to recite “a biological activity” instead of “an activity”.

Hence, claims 54 and 84 pertain to a method wherein the biological activity of said chemokine is inhibited, which the Examiner has stated to be enabled by the specification.

Applicant therefore believes to have overcome the Examiner’s rejection.

In re Application of: Amnon PELED et al
Serial No.: 10/649,873
Filed: August 28, 2003
Office Action Mailing Date: April 30, 2008

Examiner: Bruce D. Hissong
Group Art Unit: 1646
Attorney Docket: 26732

In view of the above amendments and remarks it is respectfully submitted that claims 53, 54, 83 and 84 are now in condition for allowance. A prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



Martin D. Moynihan
Registration No. 40,338

Date: August 4, 2008

Enclosure:

Petition for Extension (1 Month)